

PATENT Case No. 21

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit:

Examiner:

Applicants: Wayne Thompson, et al.

Serial No. 10/568.470

Filed: August 11, 2004

For:	4-CYCLOALKYLAMINOPYRAZOLO PYRIMIDINE NMDA/NR2B ANTAGONISTS	

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

SUPPLEMENTAL

INFORMATION DISCLOSURE STATEMENT **UNDER 37 CFR 1.97**

Sir:

- 1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
- 2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
- Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
- 4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By Patricia (1-7) outsured Date 03/01/2007

RELATED APPLICATION

MERCK CASE

FILING DATE

INFORMATION DISCLOSURE STATEMENT

5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

U. S. SERIAL NUMBER

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If th	is is inconvenient, additional copies will be submitted upon reques	t.			
6	6. In accordance with 37 C.F.R. 1.97, (check one)				
	the attached information is filed within three months of the filing da	te of the captioned case.			
\checkmark	the attached information is filed more than three months after the f Office Action on the merits.	iling date but prior to the m	ailing of a first		
	the attached information is filed before the mailing of a first Office examination under §1.114.	action after the filing of a re	equest for continued		
	the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).				
	each item of information contained in this Information Disclosure S from a foreign patent office in a counterpart foreign application not Statement.				
	each item of information contained in the information disclosure st from a foreign patent office in a counterpart application and this codesignated in §1.56(c) more than thirty days prior to the filing of the	mmunication was not rece	ived by any individual		
	no item of information contained in this Information Disclosure Sta foreign patent office in a counterpart foreign application, and, to the after making reasonable inquiry, was known to any individual designanths prior to the filing of this Statement.	e knowledge of the person	signing the certificatio		

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Respectfully submitted,

By: Mollie M. Yang

Attorney For Applicant(s)

Reg. No. 32,718

MERCK & CO., INC. Patent Dept., RY60-30

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Date: March 1, 2001

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	Substitute for	form 1449A/PTO	SUPPLE	MENTAL	(COMPLETE IF KNOWN	
	.J INFO	RMATION	DISC	LOSURE	Application Number	10/568,470	
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U.S. PATENT DOCUMENTS								
Examiner Initials*	Cite No.	U.S. Patent Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY			
		US4,904,666		Walter-Gunar Griebe, et al.	02/27/1990			
		US5,723,608		Jun Yuan	03/03/1998			
		US2005-0054658		Thompson, et al.	03/10/2005			

			FOR	EIGN PATENT	DOCUMENTS	
Examiner	Cite		Foreign Patent Docum		Name of Patentee or Applicant	Date of Publication of
Initials*	No.	Office	Number	Kind Code (if known)	of Cited Document	Cited Document MM-DD-YYYY
		PCT	WO 01/23389		Neurogen Corporation	04/05/2001
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450. Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., 8/24/2006)

	ubstitute for form 1449B/PTO	מו וסס	SUPPLEMENTAL	COMPLETE IF KNOWN		
2	NFORMATION I			Application Number	10/568,470	
,	STATEMENT BY	A D	DIICANT	Filing Date	August 11, 2004	
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	(use as many sheets	as n	ecessary)	Examiner Name		
Sheet	2	of	2	Attorney Docket Number	21494YP	

	NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.	Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.					
		McCauley (Expert Opin. Ther. Patents, 2005, 15(4), 389-407).					
	·	Alden, P., HIV and the central nervous system, The Bay Area Reporter, June 16, 2000, http://www.aegis.org/news/bar/2000/BR000605.html dowloaded on 01/22/2007 (by Examiner S. Moore, USPTO).					
		Robins, Roland K., J. Am. Chem. Soc., Vol. 79, PP 6407-6415, 1957.					
		Hamilton, Harriet W., Bristol, James A.: J. Med. Chem., Vol. 26, PP 1601-1606, 1983.					
		Rideout, Janet L., Krenitsky, Thomas A., Koszalka, George W., Cohn, Naomi K., et al J. Med. Chem., Vol. 25, PP 1040-1044, 1982.					

	Examiner Signature		Date Considered		
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.